

**Decision Record**  
**Determination of NEPA Adequacy (DNA)**  
**DOI-BLM-NV-W010-0045-DNA**  
**NPLD - Blue Lakes Area Clean-Up**

**INTRODUCTION**

The BLM Winnemucca District (WD), in collaboration with partnering groups Friends of Nevada Wilderness, Friends of Black Rock, and Nevada Outdoor School, proposes to hold a National Public Lands Day (NPLD) event on September 20, 2014. The purpose of the event is to engage the public in caring for their public lands. During the event WD BLM staff, partnering groups' staff and volunteers would conduct minimal hiking trail maintenance, road brushing and campground facilities maintenance.

**LAND USE PLAN CONFORMANCE**

The proposed action is in conformance with the Paradise-Denio Management Framework Plan (MFP) July 1982. Although not specifically addressed, the proposed event conforms to the following recreation objectives:

Recreation Objective 1: Promote the understanding of the natural resources in the Paradise/Denio Resource Area and the role the BLM plays in managing these resources.

Recreation Objective 3: Ensure access to recreation areas for the general public.

**DECISION**

NEPA Decision

This decision relies on the Finding of No Significant Impacts and Decision Records for the following Environmental Assessments:

1) Recreation Project Plan Picnic Tables, Fire Rings and Outhouses and Environmental Assessment– NV-020-06-16 (5/13/1996)

2) Pine Forest Recreation Area Management Plan and Environmental Analysis (9/18/1992)

It is my decision to select the proposed action, as defined in the Documentation of NEPA Adequacy (DNA) DOI-BLM-NV-W010-0045-DNA for National Public Lands Day. The proposed activities include minimal hiking trail maintenance; road brushing; recreational facilities clean up including garbage removal, cleaning of restrooms, and cleaning of fire rings; and recreational facilities maintenance including painting and updating the kiosk and installing road signs. These activities will take place at the Onion Reservoir campground, road from Onion Reservoir to the Blue Lakes Threshold, campground at the Blue Lakes Threshold, the hiking trail up to Blue Lakes and around Blue Lakes. Road signs notifying the public of the condition of the roads will be installed along the Knott Creek Road, the eastern Shadle Road and the road from Onion Reservoir to the Blue Lakes Threshold. These actions are similar to actions analyzed in the referenced EAs.

Further, it is my decision that implementation of these projects, will not have impacts beyond those addressed in the referenced EAs.

### **RATIONALE**

FLPMA directs the BLM to manage public lands in a manner will preserve and protect certain public lands in their natural condition and provide for outdoor recreational use (FLPMA Sec. 102 (8)). The proposed action will meet this intent. In addition, the following bullets outline the rationale for the Decision.

- A.) The proposed action is in conformance with BLM Manual 6330-Management of Wilderness Study Areas.
- B.) The proposed action meets the intent of community outreach and involving the public in caring for public lands.
- C.) The proposed action is designed to meet resource protection objectives. The proposed action does not create any surface disturbance and will not adversely affect cultural resources or wildlife, including sage-grouse.
- D.) Implementation of the proposed action will improve aesthetics and functionality of existing recreational facilities.
- E.) Implementation of this Decision will not result in any undue or unnecessary environmental degradation of the public lands and is consistent with federal, state, and local laws, regulations and plans.
- H.) The FONSI, dated May 13, 1996, for the Recreation Project Plan Picnic Tables, Fire Rings, and Outhouses, NV-020-06-16, supports this decision.
- I.) The FONSI, dated September 18, 1992, for the Pine Forest Recreation Area Management Plan, [un-assigned NEPA number], supports this decision.

### **AUTHORITY**

The Federal Land Policy and Management Act (FLPMA), 43 U.S.C. 1701 *et seq* contains the BLM's general land use management authority over the public lands, and establishes outdoor recreation as one of the principle uses of those lands (43 U.S.C. 1701 (a)(8)).

### **APPEAL**

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to Jim Schroeder, Field Manager, Humboldt River Field Office, Winnemucca District Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service. The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by § 4.412(b), and any arguments the appellant wishes to make. Attached Form 1842-1 provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in §4.401(a), the notice of appeal will not be

considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in §4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under §4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than 15 days after filing the document.

In addition, within thirty (30) days of receipt of this decision you have the right to file a petition for a stay together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties specified above.

Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

- 1) The relative harm to the parties if the stay is granted or denied;
  - 2) The likelihood of the appellant's success on the merits;
  - 3) The likelihood of immediate and irreparable harm if the stay is not granted;
- and,
- 4) Whether the public interest favors granting the stay. 43 CFR 4.471 (d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

Authorized Official:

/s/ James W Schroeder

Jim Schroeder  
Field Manager  
Humboldt River Field Office

Date: 10-30-2014

Attachments: Appeal Form 1842-1